

10/23/01
1064 U.S.
PTO

Please type a plus sign (+) inside this box

PTO/SB/05 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

10/23/01
1064 U.S.
PTO**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 24]
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 8]
5. Oath or Declaration [Total Pages]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

Attorney Docket No. 01-10029

First Inventor Anthony Bove

Title Flexible Magnetic Insole and Method ...

Express Mail Label No EL 130 206 482 US

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of
(when there is an assignee) Attorney
11. English Translation Document (*if applicable*)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS
Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Customer Number/User Request
Express Mail Certificate

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

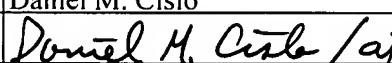
Continuation Divisional Continuation-in-part (CIP) of prior application No. 09, 379,826

Prior application information: Examiner Lacyk, J. Group Art Unit: 3736

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	 (Insert Customer No. or Attach bar code label here)			<input type="checkbox"/> or <input type="checkbox"/> Correspondence address below
Name	Daniel M. Cislo, Esq.			
Address	CISLO & THOMAS, LLP			
City	Santa Monica	State	CA	Zip Code
Country	US	Telephone	310-451-0647	Fax

Name (Print/Type)	Daniel M. Cislo	Registration No. (Attorney/Agent)	32,973
Signature			Date 10-23-01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

10/23/01
j1064 U.S. PTO

PTO/SB/17 (12/99)

Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$740.00)

Complete if Known

Application Number	Filed herewith
Filing Date	Filed herewith
First Named Inventor	BOVE et al.
Examiner Name	Not yet assigned
Group / Art Unit	Not yet assigned
Attorney Docket No.	01-10029

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-2030

Deposit Account Name Cislo & Thomas, LLP

Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

2. Payment Enclosed:

Check Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	0.00
127	50	Surcharge - late provisional filing fee or cover sheet	0.00
139	130	Non-English specification	0.00
147	2,520	For filing a request for reexamination	0.00
112	920*	Requesting publication of SIR prior to Examiner action	0.00
113	1,840*	Requesting publication of SIR after Examiner action	0.00
115	110	Extension for reply within first month	0.00
116	380	Extension for reply within second month	0.00
117	870	Extension for reply within third month	0.00
118	1,360	Extension for reply within fourth month	0.00
128	1,850	Extension for reply within fifth month	0.00
119	300	Notice of Appeal	0.00
120	300	Filing a brief in support of an appeal	0.00
121	260	Request for oral hearing	0.00
138	1,510	Petition to institute a public use proceeding	0.00
140	110	Petition to revive - unavoidable	0.00
141	1,210	Petition to revive - unintentional	0.00
142	1,210	Utility issue fee (or reissue)	0.00
143	430	Design issue fee	0.00
144	580	Plant issue fee	0.00
122	130	Petitions to the Commissioner	0.00
123	50	Petitions related to provisional applications	0.00
126	240	Submission of Information Disclosure Stmt	0.00
581	40	Recording each patent assignment per property (times number of properties)	0.00
146	690	Filing a submission after final rejection (37 CFR § 1.129(a))	0.00
149	690	For each additional invention to be examined (37 CFR § 1.129(b))	0.00
Other fee (specify) _____			0.00
Other fee (specify) _____			0.00
Reduced by Basic Filing Fee Paid			SUBTOTAL (3) (\$ 0.00)

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	690	Utility filing fee	740.00
106	310	Design filing fee	
107	480	Plant filing fee	
108	690	Reissue filing fee	
114	150	Provisional filing fee	

SUBTOTAL (1) (\$ 740.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
16	-20** = 0	x 18	= 0
Independent Claims 2	- 3** = 0	x 84	= 0
Multiple Dependent			= 0

**or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	Claims in excess of 20
102	78	Independent claims in excess of 3
104	260	Multiple dependent claim, if not paid
109	78	** Reissue independent claims over original patent
110	18	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00)

SUBMITTED BY

Name (Print/Type)	Daniel M. Cislo	Registration No. (Attorney/Agent)	32,973	Telephone	1-310-451-0647
Signature	Daniel M. Cislo /aj			Date	10-23-01

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

BOVE, Anthony
ARDIZZONE, Vincent

Serial Number: Filed herewith

Examiner: Not yet assigned

Filed: Filed herewith

Art Unit: Not yet assigned

Confirmation No.: Not yet assigned

For: **FLEXIBLE MAGNETIC INSOLE AND METHOD OF MANUFACTURE**

BOX PATENT APPLICATION
Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mailing Label No. **EL 130 206 482 US**
Deposited: October 23, 2001

Dear Sir:

Enclosed herewith are the following:

1. Utility Patent Application Transmittal Letter (1 page), with Fee Transmittal (1 page);
2. Check No. 21774 in the amount of \$740.00 for filing fees;
3. Utility Patent Application (15 specification pages, 8 pages of claims, 1-page abstract, and 8 drawing pages, for a total of 32 pages);
4. Information Disclosure Statement (2 pages) under 37 C.F.R. § 1.98(d), not requiring Information Disclosure Citation nor patent references of prior applications;
5. Nonpublication Request Under 37 C.F.R. § 1.213(a) (1 page);
6. Request for Use of Customer Number (1 page);

TO BE FILED - DEPT. OF COMMERCE - U.S. PATENT & TRADEMARK OFFICE

7. This Certificate of Express Mail (2 pages); and
8. Acknowledgment Postcard.

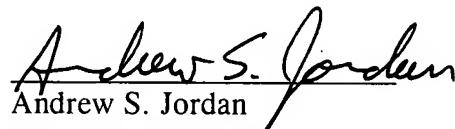
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R., Section 1.10, on the date indicated above and is addressed to:

Commissioner for Patents
Washington, D.C. 20231
BOX PATENT APPLICATION

Respectfully submitted,

CISLO & THOMAS LLP

Date: October 23, 2001


Andrew S. Jordan
Reg. No. 33,917

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233 Wilshire Boulevard, Suite 900
Santa Monica, California 90401-1211
Tel: (310) 451-0647
Fax: (310) 394-4477
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ASJ/gb

Enclosures

As listed above

Z:\GRACE\10029 NU-MAG BOVE INSOLE.DIV UTIL.EXP MAIL CERT.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:
BOVE et al.

Serial Number: Filed herewith Examiner: Not yet assigned

Filed: Filed herewith Art Unit: Not yet assigned

For: FLEXIBLE MAGNETIC INSOLE AND METHOD OF MANUFACTURE

BOX PATENT APPLICATION

Commissioner for Patents
Washington, D.C. 20231

**NONPUBLICATION REQUEST AND CERTIFICATION
UNDER 35 U.S.C. 122(b)(2)(B)(i) and 37 C.F.R. § 1.213(a)**

TOE2071-ENT10001
Dear Sir or Madam:

Under 37 C.F.R. § 1.213(a), Applicants respectfully request that the application captioned above and filed herewith not be published pursuant to 35 U.S.C. § 122(b) and/or 37 C.F.R. § 1.211.

Applicants certify that the invention(s) disclosed in the said application has not been and will not be subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Respectfully submitted,

CISLO & THOMAS LLP

Date: October 23, 2001

Daniel M. Cislo /j
Daniel M. Cislo

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DMC/ASJ/gb

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:
BOVE et al.

Serial Number: Filed herewith

Examiner: Not yet assigned

Filed: Filed herewith

Art Unit: Not yet assigned

For: **FLEXIBLE MAGNETIC INSOLE AND METHOD OF MANUFACTURE**

BOX PATENT APPLICATION

Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR USE OF CUSTOMER NUMBER

Dear Sir:

Applicants' representative has the following customer number lodged with the Patent Office:

25,189



The Office is respectfully requested to use this customer number (the bar code for which is above) for correspondence purposes as well as for online access via the PAIR system with respect to the present application.

Respectfully submitted,

CISLO & THOMAS LLP

Date: October 23, 2001


Daniel M. Cislo

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